

STATE OF VERMONT
PUBLIC SERVICE BOARD

Docket No. 6860

Petitions of Vermont Electric Power Company, Inc.)
(VELCO), Vermont Transco, LLC, Green Mountain Power)
Corporation (GMP), and Central Vermont Public Service)
Corporation (CVPS) for a certificate of public good,)
pursuant to 30 V.S.A. Section 248, authorizing VELCO to)
construct the so-called Northwest Vermont Reliability)
Project, said project to include: (1) upgrades at 12 existing)
VELCO and GMP substations located in Charlotte, Essex,)
Hartford, New Haven, North Ferrisburgh, Poultney,)
Shelburne, South Burlington, Vergennes, West Rutland,)
Williamstown, and Williston, Vermont; (2) the construction)
of a new 345 kV transmission line from West Rutland to)
New Haven; (3) the reconstruction of a portion of a 34.5 kV)
and 46 kV transmission line from New Haven to South)
Burlington; and (4) the reconductoring of a 115 kV)
transmission line from Williamstown to Barre, Vermont)

Order entered: 4/30/2007

**ORDER RE APPROVAL OF PLANS FOR
SHELBURNE AND WILLISTON SUBSTATIONS**

I. INTRODUCTION

On January 28, 2005, the Public Service Board ("Board") issued an Order and Certificate of Public Good ("CPG") approving, with modifications and conditions, the Northwest Vermont Reliability Project proposed by Vermont Electric Power Company, Inc. (now Vermont Transco, LLC) (collectively "VELCO") and Green Mountain Power Corporation ("GMP"). A condition of the January 28 Order and CPG stated:

Petitioners shall file, for the Board's approval, final construction plans for the 345 kV line, 115 kV line, and the substation upgrades, concurrent with plans for aesthetic and environmental mitigation, as required by the post-certification process described in the Order. Petitioners may commence construction only after receiving approval for such plans, and receipt of all necessary permits.¹

1. Order of 1/28/05 at 226; CPG of 1/28/05 at 1.

In today's Order, the Board approves the design plans for the Shelburne and Williston substations. In addition, we address the construction and night-time maintenance requirements for these substations. With the approval of these plans VELCO may commence construction of the Shelburne and Williston substations once it has received all necessary permits, and subject to the additional conditions set forth herein.

Comment Period for Environmental Permits

On April 2, 2007, VELCO requested that the Board waive the four-week comment period for environmental permits necessary for the Shelburne and Williston substations. On April 17, the Department of Public Service ("Department") filed a letter stating that the Board should allow at least a two-week comment period for the Shelburne substation and a one-week comment period for the Williston substation. The Department notes that the one-week comment period for the Williston substation is appropriate because "that substation has not been controverted among the parties." On April 17, 2007, the Town of Shelburne filed a letter stating that some reasonable time period should be available for review, and that it does not object to reducing the review period from four weeks to one week.

After reviewing the comments, we have determined that the review period can be reduced to one week for both the Shelburne and Williston substations. The town most directly affected has stated that one week is sufficient time for review and, in light of the constraints imposed by Vermont's construction season, we find that one week for review of environmental permits is appropriate.

Shelburne Substation

1. The proposed upgrade of the Shelburne substation will not result in an undue adverse aesthetic impact and does not raise significant engineering concerns. Exh. DPS-Post CPG-38, att. 7.

2. VELCO's September 1, 2006, design plans modify previous plans submitted to the Board in this docket, in that the substation fence enclosure has been moved 71 feet north to

provide space for a 115 kV to 12.47 kV mobile substation. This change will allow the substation to be shifted back an additional 62 feet from the road. Exh. VT Transco-Post CPG-24. Att. 7.

3. The above change will not produce an unduly adverse environmental impact. Exh. VT Transco-Post CPG-24, att. 9.

4. VELCO's landscape mitigation plans include additional plantings, in accordance with the recommendations of the Department's aesthetics consultant David Raphael. Exh. VT Transco-Post CPG-24, atts. 6 and 8.

Discussion

No party has raised concerns regarding the design plans for the Shelburne substation. We approve the design plans filed on September 1, 2006.

A neighboring landowner has expressed concern that, due to the environmental permitting process, VELCO will be required to make changes to the Shelburne substation. The landowner recommends that we defer ruling on the design plans at this time and require VELCO to file revised plans. At this time, VELCO has not indicated to the Board that changes to its proposed plans are necessary. If they become necessary at some future point, VELCO must obtain permission from the Board to make changes to the design of the project. There will be an opportunity to comment on any changes at that time.

Williston Substation

5. There are no engineering concerns associated with the Williston substation, except that the General Arrangement Plan does not provide dimensions. Exh. DPS-Post-CPG-38D.

Discussion

No party has raised concerns regarding the design plans for the Williston substation. We approve the final design plans filed on August 22, 2006, but require VELCO to file a revised General Arrangement Plan.

Night-time Maintenance at Substations

6. VELCO may be required to perform occasional night-time maintenance on the substations, as the load is lighter at that time. Generally, the impacts of such maintenance work

will be limited to the light produced by a portable light tower and the noise produced by a generator. The diagnostic testing of the substation equipment will not require any other power equipment. Exh. VT Transco-Post CPG-42; tr. 10/16/06 at 174 (Wright).

7. VELCO would perform night-time maintenance at substations no more than once every three years. Tr. 10/16/06 at 172-73, 178 (Wright).

8. The DPS requests that VELCO document its night-time maintenance activities. Exh. LAN-4.

Discussion

The Department recommends that we require VELCO to document its night-time maintenance activities. Since VELCO has stated that such activities will take place infrequently, we will take efforts to ensure that the maintenance events are truly infrequent. Consequently, we adopt the Department's recommendation. The Board retains jurisdiction to impose additional limits on night-time activities at the substations if it becomes apparent that such measures are necessary.

Construction Plans

9. VELCO proposes to work Monday through Saturday from dawn to dusk to construct the substations. Typically construction would begin at 7:00 a.m. and end at 6:00 p.m., although actual hours would vary depending on the number of daylight hours available. Construction would therefore occur on weekends and other times when nearby residents are home from jobs or school. Additional work-hours, including night-time work, may be necessary to accommodate weather impacts and predetermined outage dates. Tr. 10/16/06 at 188-90; tr. 10/17/06 at 65, 67 (Predom).

10. Night-time construction would not employ heavy earth-moving equipment and would be limited to commissioning and energizing substation equipment. Tr. 10/16/06 at 203 (Predom).

11. VELCO will utilize water or chloride to suppress dust at the construction sites and will take steps to remove mud from truck tires at the entrance of the construction site to minimize dust generated by construction traffic. Tr. 10/16/06 at 194-95 (Predom).

12. Noise at the substations during construction will include that generated by heavy equipment. Adequate control of construction noise must be implemented. Exh. DPS-Post-CPG-38F at 4.

13. VELCO must ensure that materials stored on-site are stored in a safe manner and protect construction sites with fencing and other appropriate methods. Exh. DPS-Post-CPG-38F at 4.

Discussion

The Department recommends that the Board limit construction at the substations to Monday through Saturday, dawn to dusk, except where night-time or Sunday work is necessary to meet scheduled outage times or needed to occur when loads are light. Additionally, the Department recommends that we require VELCO to provide one week's notice to the town and affected landowners of each occurrence of night-time and weekend construction activity.

We accept the Department's recommendations. Given VELCO's stated intent to perform construction activities on Saturdays, we clarify that notification of weekend construction activity must occur only when VELCO intends to perform construction work on Sundays.

The Department further recommends that VELCO be required to submit noise control methods. We adopt this recommendation. VELCO must file a plan for controlling construction noise at the substation. Parties will have two weeks to comment on the plan.

Conclusion

Based on the above, VELCO's construction plans for the Williston and Shelburne substations filed with the Board on August 22, 2006, and September 1, respectively, are approved. VELCO may begin site preparation and construction of the Shelburne and Williston substations, in accordance with the approved plans and subject to the conditions outlined in this order.

II. ORDER

IT IS HEREBY ORDERED, ADJUDGED AND DECREED by the Public Service Board of the State of Vermont that:

1. The design plans for the Shelburne and Williston substations are approved. Once all necessary permits have been obtained construction may commence at these locations, subject to the following conditions:

2. VELCO must obtain all necessary permits and approvals prior to site preparation for and construction of the Shelburne and Williston substations.

3. Prior to commencement of site preparation for and construction of the Shelburne and Williston substations, VELCO shall inform the Board only if any of the following are applicable:

- a. Any additional permits or approvals are required for the Shelburne or Williston substations.
- b. Any permit or approval requires any changes to the design of the Shelburne or Williston substations.

If 2.a. and 2.b. are both inapplicable, VELCO need not notify the Board pursuant to this condition.

4. Within 30 days of the completion of construction of the Williston and Shelburne substations, including all landscaping and aesthetic mitigation, VELCO shall notify the Board of the completion of construction. The Board will schedule a post construction site visit and may require additional aesthetic mitigation, if determined to be necessary.

5. Within 30 days of the completion of construction of the Shelburne substation, including all landscaping and mitigation, VELCO shall file a plan, to be approved by the Board, for conducting a post-construction noise study.

6. VELCO must file, within two months of the date of this Order, a proposal for controlling noise during substation construction. Special attention should be made to noise generated during non-typical construction hours (4:00 p.m. - end; weekends). Parties will have two weeks to file comments on VELCO's proposal.

7. VELCO must notify towns and nearby landowners in advance of all night-time and Sunday construction activities.

8. VELCO must keep a record of all night-time maintenance activities.

Dated at Montpelier, Vermont, this 30th day of April 2007.

_____)	
)	PUBLIC SERVICE
)	
s/ David C. Coen)	BOARD
)	
)	OF VERMONT
s/ John D. Burke)	

OFFICE OF THE CLERK

FILED: April 30, 2007

ATTEST: s/ Susan M. Hudson
Clerk of the Board

NOTICE TO READERS: This decision is subject to revision of technical errors. Readers are requested to notify the Clerk of the Board (by e-mail, telephone, or in writing) of any apparent errors, in order that any necessary corrections may be made. (E-mail address: psb.clerk@state.vt.us)

Appeal of this decision to the Supreme Court of Vermont must be filed with the Clerk of the Board within thirty days. Appeal will not stay the effect of this Order, absent further Order by this Board or appropriate action by the Supreme Court of Vermont. Motions for reconsideration or stay, if any, must be filed with the Clerk of the Board within ten days of the date of this decision and order.